

# PETITION FOR SPECIAL HEARING 84-102-SPH TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and or Deputy Zoning Commissioner should approve a removal of the time restriction on case 182-278-A (Item 1151) in order to proceed with the scheduled renovations to the principle building on the property.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Address for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Richard W. Ater

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of November, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of January, 1984, at 10:30 o'clock A.M.

*Carl John*  
Zoning Commissioner of Baltimore County.

E.C.O.-No. 1

(over)

RE: PETITION FOR SPECIAL HEARING: BEFORE THE ZONING COMMISSIONER  
S/S Trumps Mill Rd., 315' W of  
Rush Rd., 14th District : OF BALTIMORE COUNTY  
RICHARD W. ATER, Petitioner : Case No. 84-102-SPH

## ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2138

I HEREBY CERTIFY that on this 9th day of December, 1983, a copy of the foregoing Order was mailed to Mr. Richard W. Ater, 5231 Trumps Mill Road, Baltimore, MD 21206, Petitioner.

John W. Hession, III

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 23, 1983

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Chairman  
Nicholas B. Connodari

MEMBERS

Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. Richard W. Ater  
5231 Trumps Mill Road  
Baltimore, Maryland 21206

RE: Item No. 105 - Case No. 84-102-SPH  
Petitioner - Richard W. Ater  
Special Hearing Petition

Dear Mr. Ater:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to extend the time limit for utilization of the second floor of the existing garage as a temporary residence, this special hearing is now required.

It should be noted that the previous hearing, Case No. 82-278-A, was granted with restrictions. Said restrictions are applicable regardless of the outcome of this hearing.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*Nicholas B. Connodari, Jr.*  
NICHOLAS B. CONNODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bac  
Enclosures

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

December 2, 1983

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #105 (1983-1984)  
Property Owner: Richard W. Ater  
S/S Trumps Mill Rd. 315' W. from centerline  
Rush Road  
Acre: 0.71 District: 14th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

The comments supplied in conjunction with the Zoning Advisory Committee review of this property for Items 115 (1978-1979) and 191 (1981-1982) are referred to for your consideration.

This office has no further comment in regard to this Item 105 (1983-1984).

Very truly yours,

*Robert A. Morton*  
ROBERT A. MORTON, P.E., Chief  
Bureau of Public Services

RAM:EM:FW:iss

N-SE Key Sheet  
21 NE 20 Pos. Sheet  
NE 6 E Topo  
81 Tax Map

Encl.

May 18, 1982

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #101 (1981-1982)  
Property Owner: Richard W. Ater  
S/S Trumps Mill Rd. 315' W. of centerline of Rush Rd.  
Acre: 0.71 District: 14th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

The comments supplied in conjunction with the Zoning Advisory Committee review of this property in connection with Item 115 (1978-1979) are referred to for your consideration.

The structure, subject of this Special Hearing, impacts the proposed improvement of Trumps Court as a 30-foot closed section roadway on a 50-foot right-of-way with a cul-de-sac at the roadway termination, see the plat "Resubdivision of Lot No. 8 Plat 'A' Kenwood Park recorded J.W.S. 1-323", recorded E.H.K., Jr. 42-124. A partial 20-foot cross-section has been constructed per Job Order 5-1-3920 (Drawing 78-0487, File 5), Contract 78283 ISO.

Highway rights-of-way, including a fillet area for sight distance, will be required for Trumps Mill Road and Trumps Court.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 191 (1981-1982).

Very truly yours,

(SIGNED) ROBERT A. MORTON  
ROBERT A. MORTON, P.E., Chief  
Bureau of Public Services

RAM:EM:FW:iss

cc: Jack Wimbley, Robert Covahay  
N-SE Key Sheet  
21 NE 20 Pos. Sheet  
NW 6 E Topo 81 Tax Map

January 17, 1979

Mr. S. Eric DiNenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #115 (1978-1979)  
Property Owner: Richard W. Ater  
S/S Trumps Mill Rd. 315' W. Rush Rd.  
Existing Zoning: DR 3.5  
Proposed Zoning: Variance to permit a height of an accessory structure (garage) of 20' in lieu of the required 15'.  
Acre: 0.71 District: 14th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

This property comprises a portion of Lot 7 of Plat "A" Kenwood Park; and of the Amended Plat "A" Kenwood Park, both as recorded in J.W.S. No. 1 - Part 2, Folio 323; and of the "Subdivision of Lots 6 and 7 on Plat 'A' Kenwood Park", recorded C.H.K. 13, Folio 49.

### Highways:

Trumps Mill Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Trumps Court, a County road, is proposed to be constructed (Job Order 5-1-3920) along the easterly side of this property as a 30-foot closed section roadway on a 50-foot right-of-way, as shown on the recorded plat "Resubdivision of Lot No. 8 Plat 'A' Kenwood Park", E.H.K., Jr. 42, Folio 124.

Highway rights-of-way widening for Trumps Mill Road, and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The status of the 15-foot right-of-way along and within the westerly side of this property, shown on the plat "Subdivision of Lots 6 and 7 on Plat 'A' Kenwood Park", E.H.K. 13, Folio 49, is unknown to this office.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Item #115 (1978-1979)  
Property Owner: Richard W. Ater  
Page 2  
January 17, 1979

### Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

### Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

### Water and Sanitary Sewer:

There is a public 8-inch water main, Job Order 3-1-3920, and 8-inch public sanitary sewerage, Job Order 1-1-3920, in Trumps Mill Road. A public 8-inch water main and 8-inch sanitary sewer are under contract for construction within Trumps Court, see Drawings 78-0485, File 3 and 78-0486, File 1.

Very truly yours,

(SIGNED) WILLIAM E. HAMMOND  
WILLIAM E. HAMMOND, P.E.  
Chief, Bureau of Engineering

END:EM:FW:iss

cc: J. Wimbley  
J. Somers  
R. Covahay

N-SE Key Sheet  
21 NE 20 Pos. Sheet  
NW 6 E Topo  
81 Tax Map



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts to remove the time restriction set forth in Case 62-278-A, dated July 8, 1982, would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and would not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 6<sup>th</sup> day of January, 1984, that the time restriction, i.e., "not to exceed one year" should be removed and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The petitioner may use the second floor of the existing garage as his temporary residence for a period not to exceed 5 years from the date of this Order. At the end of the 5 year period, all kitchen facilities shall be removed and the residential use shall cease.

*Jan M.H. Jung*  
Deputy Zoning Commissioner of  
Baltimore County

ORDER RECEIVED FOR FILING

DATE Jan 6, 1984  
BY May Campagne (clerk)  
ADMINISTRATIVE RECORDS

Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning

November 30, 1983

Jan J. Forrest

Zoning Variance Items  
Meeting - November 1, 1983

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

- Item #102 - Barry E. & Donna M. Hutchinson  
Item #104 - William A. & June M. Spann  
Item #105 - Richard W. Ater

*Jan J. Forrest*  
Jan J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

LJF/rca

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Nicholas Commodari, Zoning Department Date: November 14, 1983

FROM: C. E. Burnham, Building Plans Review Chief

SUBJECT: Zoning Advisory Committee Meeting  
November 1, 1983

Item #100	See Comments
Item #101	See Comments
Item #102	See Comments
Item #103	Standard Comments
Item #104	See Comments
Item #105	No Comments

# BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date:

Mr. Arnold Jablon  
Zoning Commissioner  
Baltimore County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: November 1, 1983

RE: Item No: 100, 101, 102, 103, 104, & 105.  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,

*Wm. Nick Petrovich*  
Wm. Nick Petrovich, Assistant  
Department of Planning

WNP/lh

December 5, 1983

Mr. Richard W. Ater  
5231 Trumps Mill Road  
Baltimore, Maryland 21206

## NOTICE OF HEARING

Re: Petition for Special Hearing  
S/S of Trumps Mill Rd., 315' W of  
Rush Road  
Richard W. Ater - Petitioner  
Case No. 84-162-SPH

TIME: 10:30 A.M.

DATE: Tuesday, January 3, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

*C. E. Burnham*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 121995

DATE 12-21-83 ACCOUNT R-01-615-012

AMOUNT 35.00

RECEIVED FROM Richard W. Ater  
FOR Payment for item 105 111

1861. C 054\*\*\*\*\*350010 #242A

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

December 27, 1983

Mr. Richard W. Ater  
5231 Trumps Mill Road  
Baltimore, Maryland 21206

Re: Petition for Special Hearing  
S/S of Trumps Mill Rd., 315' W of  
Rush Road  
Case No. 84-162-SPH

Dear Mr. Ater:

This is to advise you that \$63.59 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

*C. E. Burnham*  
ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 124057

DATE 1/3/84 ACCOUNT R-01-615-012

AMOUNT 63.59

RECEIVED FROM Richard W. Ater  
FOR Advertising Costs for Case 84-162-SPH

C 049\*\*\*\*\*623910 2034A

VALIDATION OR SIGNATURE OF CARRIER

Plat to Accompany petition for Zoning Variance

Beginning for the same on the south side of Trumps Mill Road, 40' wide, at a point 315' west of the intersection of Rush Road and Trumps Mill Road, thence leaving said point of beginning and running 1) S 25°00'00"W 225.00', 2) N 67°08'00"W 130.47', 3) N 25°00'00"E 250.00' to the west side of Trumps Mill Road and thence running and binding on the west side of said road 4) S 56°13'00"W 122.00' to the place of beginning

Being known as 5321 Trumps Mill Road

Containing 0.71 acre ±

This description has been prepared for zoning purposes only and is not intended for conveyance.

MICROFILMED

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

January 6, 1984

Mr. Richard W. Ater  
5231 Trumps Mill Road  
Baltimore, Maryland 21206

RE: Petition for Special Hearing  
S/S of Trumps Mill Rd., 315' W of Rush  
Rd. - 14th Election District  
Richard W. Ater - Petitioner  
NO. 84-162-SPH (Item No. 105)

Dear Mr. Ater:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

*Jan M.H. Jung*  
JAN M.H. JUNG  
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Ed France  
3 Trumps Court  
Baltimore, Maryland 21206

John W. Hessian, III, Esquire  
People's Counsel



# PETITION FOR SPECIAL HEARING

14th Election District

ZONING: Petition for Special Hearing  
 LOCATION: South side of Trumps Mill Road, 315 ft. West of Rush Road  
 DATE & TIME: Tuesday, January 3, 1984 at 10:30 A.M.  
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a removal of the time restriction on Case No. 82-278-A in order to proceed with the scheduled renovations to the principle building on the property

All that parcel of land in the Fourteenth District of Baltimore County

Being the property of Richard W. Ater, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
 ARNOLD JABLON  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon  
 Zoning Commissioner  
 FROM: Norman E. Gerber, Director  
 Office of Planning and Zoning  
 SUBJECT: Richard W. Ater  
 84-162-SPH

Date: December 13, 1983

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber per J. H. Keavill  
 Norman E. Gerber  
 Director of Planning and Zoning

NEG:JGH:cav

## CERTIFICATE OF PUBLICATION

TOWSON, MD., December 13, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., 84-162-SPH of 800-1428-7400 before the 1st day of January, 1984, the 1st publication appearing on the 15th day of December 1983.

THE JEFFERSONIAN,  
 L. Leach, Jr.  
 Manager.

Cost of Advertisement, \$ 24.25

## PETITION FOR SPECIAL HEARING

14th Election District

LOCATION: South side of Trumps Mill Road, 315 ft. West of Rush Road

DATE & TIME: Tuesday, January 3, 1984 at 10:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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BY ORDER OF  
 ARNOLD JABLON  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY

Mr. Richard W. Ater  
 5231 Trumps Mill Road  
 Baltimore, Md. 21206

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Your petition has been received and accepted for filing this 1st day of November, 1983

Arnold Jablon  
 Zoning Commissioner

Petitioner Richard W. Ater  
 Petitioner's Attorney

Received by Nicholas B. Commodari  
 Chairman, Zoning Plans  
 Advisory Committee

## The Times

Middle River, Md., Dec 11 1983

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of 1st successive weeks before the 1st day of January, 1984

For J. H. Keavill, Publisher.

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 14 Date of Posting 12/16/83

Posted for: Petition for Special Hearing

Petitioner: Richard W. Ater

Location of property: 315 Trumps Mill Rd., 315' W. of Rush Rd.

Location of Sign: facing intersection of Trumps Mill Rd. and Trumps Rd.

Remarks: Case 2 - 84-162-SPH

Posted by: [Signature] Date of return: 12/23/83

Number of Signs: 1

## Petition For Special Hearing

14TH ELECTION DISTRICT

ZONING: Petition for Special Hearing

LOCATION: South side of Trumps Mill Road, 315 ft. West of Rush Road

DATE & TIME: Tuesday, January 3, 1984 at 10:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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BY ORDER OF  
 ARNOLD JABLON  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY